

share of taxes. And, frankly, as Senators, we are sick of the tradeoff. We do not like going back to our States and saying to law enforcement: We are going to have to cut the COPS Program by 80 percent. We do not like to tell small businesses they are not going to have access to low-interest loans. We do not like telling our schools and our children there isn't going to be the money for education. We do not like telling elderly people: God knows for how long all of us who have run for office have promised there will be affordable prescription drugs, but, sorry, we do not have any money to do any of that for you. We do not like telling families who have no health insurance whatsoever: We cannot do anything to help you because we have some of these big corporations, these multinationals, that have done the opposite of being good corporate citizens and basically have set up these elaborate, disingenuous, dishonest, tax evasion schemes.

As a Senator from Minnesota, my priority is to make sure they pay their fair share of taxes. That is the very least we can ask of them.

Mr. President, other than that, I do not feel strongly about this issue.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WELLSTONE. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECESS

The hour of 12:35 p.m. having arrived, under the previous order, the Senate will now stand in recess until the hour of 2:15 p.m.

Whereupon, the Senate, at 12:35 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CLELAND).

The PRESIDING OFFICER. The majority leader.

Mr. DASCHLE. Mr. President, I ask unanimous consent that Senator DURBIN be recognized after my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### HONORING SENATOR TED KENNEDY ON HIS 70TH BIRTHDAY

Mr. DASCHLE. Mr. President, my old friend and teacher, Mo Udall, wrote a book called "Too Funny to be President" and dedicated it, in his words, "to the 3,000 Members of Congress, living and dead, with whom I served for nearly three decades."

It is true. We are all part of a continuum. In the history of our Nation, only 1,864 Americans have ever served in the Senate. Carved or penned into the drawers in our desks are the names of some of the giants—men such as Clay, Webster, Calhoun. But we don't have to open our desks or open a book

to see one of the greatest Senators ever to serve in this body. All we have to do is open our eyes. He is right here, at the same desk he has occupied now for the last 40 years.

I have been a Senator for 16 years. I count it as part of my good fortune that I have been able to call TED KENNEDY a colleague all of those years. I consider it an even greater privilege to call him my friend.

Today it gives me enormous pleasure to join the rest of my colleagues in wishing my good friend a happy 70th birthday.

In his remarkable 1999 book "Edward M. Kennedy: A Biography," New York Times reporter Adam Clymer recounts a letter an 8-year-old TED KENNEDY received from his father.

It was 1940. Ambassador Kennedy was writing from war-torn London to his young son who had returned to America. He tells TED that he can hear the bombs exploding outside his residence. Then he writes:

I hope that when you grow up, you will dedicate your life to trying to work out plans to make people happy instead of making them miserable, as war does today.

Somewhere, I feel certain Joe Kennedy is looking down on his youngest son today, as he does every day, smiling. TED KENNEDY has indeed dedicated his life to trying to make people happy.

The great Irish playwright, George Bernard Shaw, wrote that "this is the true joy of life: to be used for a principle recognized by yourself as a mighty one . . ."

That is exactly what TED KENNEDY has done. For 40 years now he has used his great booming voice to speak for those who have none. There is no more passionate or effective advocate in this Senate for good schools for every child, decent, affordable health care for every American; there is no one in this body who has fought harder or longer to improve the living standards of working families and protect the basic civil rights of all Americans. He is a drum major for justice.

President Bush says the folks at the coffee shop down in Crawford were surprised to see him praise Senator KENNEDY for his invaluable help in passing the new education reform act. They shouldn't have been.

Since the day he arrived, TED KENNEDY has sought out those with views different from his own to see if together they could find principled compromise. He has never wavered in his principles. At the same time, he is a pragmatist who wants more than anything to get things done.

I remember 5 years ago when we created the Children's Health Insurance Program with strong bipartisan support. It was something Senator KENNEDY had worked on for years. After the vote, he came into my office, as he does sometimes with these victories, beaming. He looked so much like a proud, new father, I thought he might start handing out cigars. To everyone he passed he said, "Isn't it wonderful."

As he spoke about that victory, he didn't talk about how many votes his plan had received. He talked about how many children it would help. That is the kind of man he is. He doesn't care who gets the credit so long as people get the help.

Sometimes when I am in this Chamber, I look up to the gallery to see the people who have come here to see this great institution at work. I can always tell from their reactions when Senator KENNEDY has walked on the floor without even looking around. People sit up, heads turn. Almost always you see someone lean over and whisper to the person next to him or her: Look, TED KENNEDY.

He is, undoubtedly, the best known member of this body. Yet he remains a modest man—a worker among workers.

Within our caucus, he is very often the first one to work in the morning and the last person to leave at night.

No job is too small for TED KENNEDY. At the same time, no challenge is too big.

On civil rights, voting rights, education, disarmament and so many other critically important issues, Senator KENNEDY has not only picked up the fallen standard that his brothers John and Robert once carried. He has advanced that standard. He has done much of the work they hoped to do but couldn't.

There is another incident in Adam Clymer's book that may explain, in part, why TED KENNEDY has achieved so much in this Senate.

The year was 1965. TED and Robert Kennedy were serving together on the Labor and Public Welfare Committee. It was Robert Kennedy's first year in the Senate and TED's third.

One day, after they had waited hours to question a committee witness, Robert leaned over and whispered to his brother: "Is this the way I become a good Senator—sitting here and waiting my turn?"

TED said: "Yes."

Robert pressed: "How many hours do I have to sit to be a good Senator?"

TED answered: "As long as it takes, Robbie."

TED KENNEDY is a patient idealist. He understands that progress is a long march and he is willing to work as long and hard as it takes to move America forward.

Carved into the drawer of the desk in which he sits is the name of his other brother, John, who sat there before him and who, like Robert, was taken from him, and us, because of his commitment to public service.

Many people—perhaps most people—who had suffered such loss might withdraw from public service in fear or anger. They might conclude, rightly, that their family had given enough.

But not TED KENNEDY.

He has stayed and has done what his father hoped he would all those years ago. He has dedicated his life to trying to work out plans to make people happy.

Unlike his brothers, he has "lived to comb his gray hair."

He has received what they did not: "the gift of length of years."

As we celebrate his 70th birthday, it seems to me that America is the real beneficiary of that great gift.

And so, on this happy occasion, I say to my friend, Senator KENNEDY, Thank you. Happy Birthday. And may you have many, many more.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I ask unanimous consent that I may yield my place in line to Senator KERRY and follow him.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Massachusetts is recognized.

Mr. KERRY. Mr. President, I thank the Senator from Illinois for his enormous courtesy. I thank the majority leader for his wonderful comments about our colleague.

Mr. REID. Mr. President, doesn't Senator KERRY control the time?

#### MORNING BUSINESS

The PRESIDING OFFICER. The Senator is correct.

Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 3:15, with the time under the control of the Senator from Massachusetts, Mr. KERRY.

Mr. KERRY. I ask unanimous consent that the remarks of Senator KENNEDY's House colleagues be printed in the RECORD following my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. KERRY. Mr. President, I appreciate my colleagues' patience. I hope we will all have a chance to pay tribute.

As the majority leader has just said, and as we have learned in wonderful stories across the country over the course of the last weeks, my senior colleague and our good friend and colleague to all of us on both sides of the aisle celebrated his 70th birthday on February 22, last week, while we were out of session. But he also records a rather remarkable milestone together with a birthday. It is not only a celebration of 70 years of life, but it is also the milestone of 40 years of service to the State of Massachusetts and to his country here in the Senate.

He started his career by setting an extraordinarily high standard in the very beginning because it was when he reached the minimal constitutional age of 30 that he first came to the Senate—one of only 16 people in the history of the Senate to reach this institution at that early and tender age. What we celebrate today, Democrats and Republicans alike, is not only the awe we have for his lifetime of achievement but really the way in which lit-

erally almost every single year that Senator KENNEDY has been here there has been a milestone piece of legislation that has passed either with his significant support and input or with his outright leadership.

The Boston Globe put it best, writing not long ago that:

In actual, measurable impact on the lives of tens of millions of working families, the elderly, and the needy, Ted Kennedy belongs in the same sentence with Franklin Roosevelt.

That sentence is not constructed lightly; it is the measure of a public servant who doesn't know the meaning of the words, "you can't pass it," "it can't happen," or "impossible."

It is the measure of a Senator who—on every issue of importance, from health care to children, education, civil rights, choice, and so on—can always be counted on to be in the lead, challenging on the issues and fighting for the principles that guide our party and lift up our country.

As every single one of my colleagues here knows, TED KENNEDY is an extraordinary public servant, not only because he knows who he is personally and sticks to his guns, never bending with the political currents, but because he has in his life and in his career proven again and again that progress doesn't happen by accident, that it doesn't happen when you simply stick to the text of the latest opinion poll or the whispers of a morning focus group, it happens when leaders define and fight the fights that need fighting and when public servants of conscience and conviction refuse to take no for an answer.

That is why, for TED KENNEDY, the "cause" has not just endured, it has triumphed—again and again.

Whether you agree with him or not, we know that TED KENNEDY has never been afraid to be a majority of one. We know that he has been an extraordinary leader because he has excelled while completing his work in the Senate, where sometimes others were afraid to begin.

Ironically, in being a standard-bearer for an ideal, TED has become, as Clymer wrote in his recent book:

[N]ot just the leading Senator of his time, but one of the greats in its history, wise in the workings of this singular institution, especially its demand to be more than partisan to accomplish much.

His partnerships with his fellow Senators are well known and often recited—and sometimes lampooned—from Howard Baker, Jacob Javits, Hugh Scott, ARLEN SPECTER, Dan Quayle, ORRIN HATCH, Alan Simpson, and Nancy Kassebaum—TED has never hesitated to cross the aisle in an effort to accomplish his goals and to further a common agenda—fighting always to prove that ideologies, however incompatible according to conventional wisdom, can be put aside for the greater good when it improves the lives of our fellow Americans.

TED has always done that—put aside partisanship and reached out. On a per-

sonal note—and I think there are many Senators who would say this—TED KENNEDY is remarkable. There are so many of our colleagues who have been touched in times of loss, times of distress, times of disease or sickness, before an operation, after an operation, when a child was in trouble; it is almost always TED KENNEDY who is one of the first to pick up the phone and one of the first to offer support.

I remember 30 years ago when I came back from Vietnam and a group of us ragtag veterans assembled on The Mall here to try to get the country to listen to what we thought was the truth.

There were not many leaders in the Senate prepared to listen, but TED KENNEDY was among the first and the few who came down to that encampment, sat during the night, listened to the stories of veterans, and came back to the floor of the Senate to be an extraordinary witness to their truth. He reached out and demonstrated in actions, as well as words, the truth for which those soldiers had fought.

Now we see that in so many ways. He goes where his conscience tells him to go. He hears of children who go through their early years without health care, who come to school unable to learn, and he has made their care his crusade. So millions more children today see a doctor because of TED KENNEDY and millions more will before he is done.

He hears of workers sweating it out, punching a timeclock, doing back-breaking work over the course of a lifetime, and he has made their economic security his agenda. And so many millions of workers have seen their wages increased over the course of their lives, pensions protected where others would have left it to the marketplace, and he has created a safe workplace, and the right to organize has been put back on the Nation's agenda. These issues again and again will be advanced by TED KENNEDY.

That is the drive, the passion, and the special commitment we celebrate today. This is not a new ideology, it is not a new-age vision, but it is an age-old belief that Americans have a responsibility to each other, that America is still in the process of becoming, and that we are privileged to serve here to make that dream real for all Americans.

These are the qualities that make our colleague the lion of the Senate and make him one of the most prolific legislators in American history. They also make him what his brother Robert said was some of the most important words in the English language: A great citizen.

For that and so much more, we honor our friend and colleague TED KENNEDY today.

#### EXHIBIT 1

##### REMARKS BY REPRESENTATIVE MARKEY

This past week, the Commonwealth of Massachusetts celebrated the 70th Birthday of our senior senator, Ted Kennedy, and a legacy of public service unsurpassed in its